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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/723,251 | 11/26/2003 | Michael Dahlin | 1039-0070 | 6060 |
| 34456 7590 09/20/2007 LARSON NEWMAN ABEL POLANSKY & WHITE, LLP 5914 WEST COURTYARD DRIVE SUITE 200 AUSTIN, TX 78730 | | | EXAMINER RANGREJ, SHEETAL | |
| | | | ART UNIT 3626 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/723,251

Applicant(s)

DAHLIN ET AL.

Examiner

Sheetal R. Rangrej

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :11/26/2003; 08/09/2004; 09/22/2005; and 02/01/2006.

Prosecution History Summary

- Claims 1-29 are pending.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 244 (figure 1B); 7021 (figure 3 & figure 10); 902-918 (figure 9). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 6, 8, 10, 12, 16-18, 20, 22-25, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Iliff (U.S. Patent No. 5,935,060).

4. As per claim 1, Iliff teaches a method of providing a workflow interface, the method comprising:

- receiving template data associated with a medical workflow step (Iliff: col. 4, 40-51);
- receiving automated decision support data associated with the medical workflow step (Iliff: col. 6, 1-10);
- integrating the template data and the automated decision support data into an interface page associated with the medical workflow step (Iliff: col. 20, 37-65); and
- initiating presentation of the interface page on a display of an electronic device (Iliff: col. 4, 31-38).

5. As per claim 2, the method of claim 1 is as described. Iliff further teaches further comprising:

- receiving patient finding data (Iliff: col. 4, 40-51); and
- basing selection of the automated decision support data at least partially on the patient finding data (Iliff: col. 19, 15-32).

6. As per claim 3, the method of claim 1 is as described. Iliff further teaches further comprising sorting the template data (Iliff: col. 21, 26-47).

7. As per claim 6, the method of claim 1 is as described. Iliff further teaches further comprising initiating presentation of decision support text on the display (Iliff: col. 3, 51-65).

8. As per claim 8, the method of claim 1 is as described. Iliff further teaches wherein the medical workflow step comprises recording a history of present illness (Iliff: col. 24, 10-31).

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9. As per claim 10, the method of claim 1 is as described. Iliff further teaches wherein the medical workflow step comprises a diagnosis (**Iliff: col. 1, 66 to col. 2, 13**).

10. As per claim 12, Iliff teaches A device (**Iliff: col. 4, 51-57**) configured to display a user interface associated with a step in a medical workflow, the user interface comprising template data integrated with automated decision support data (**Iliff: col. 20, 37-65**), the template data and the automated decision support data being associated with the step in the medical workflow, the automated decision support data being based on medical finding data (**Iliff: col. 19, 15-32**).

11. As per claim 16, the device of claim 12 is as described. The citation for claim 16 is the same as claim 3.

12. As per claim 17, the device of claim 12 is as described. The citation for claim 17 is the same as claim 2.

13. As per claim 18, the device of claim 12 is as described. The citation for claim 18 is the same as claim 8.

14. As per claim 20, the device of claim 12 is as described. The citation for claim 20 is the same as claim 10.

15. As per claim 22, the device of claim 12 is as described. Iliff further teaches wherein the user interface device is a portable computational circuitry configured to communicate with a wireless network (**Iliff: figure 1, 102**).

16. As per claim 23, Iliff teaches a system comprising: -a processor (**Iliff: col. 5, 12-20**); and -a storage medium storing (**Iliff: col. 5, 36-42**).

17. System claims 23-25 repeat the subject matter of claims 1-3 rather than a series of steps. As the underlying process has been shown to be fully disclosed by the teachings of Iliff in the

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above rejection of claims 1-3, it is readily apparent that the Iliff reference includes a system to perform the recited functions. As such, these limitations are rejected for the same reasons provided in the rejection of claims 1-3 and incorporated herein.

18. System claim 28 repeats the subject matter of claim 6 rather than a series of steps. As the underlying process has been shown to be fully disclosed by the teachings of Iliff in the above rejection of claim 6, it is readily apparent that the Iliff reference includes a system to perform the recited functions. As such, these limitations are rejected for the same reasons provided in the rejection of claim 6 and incorporated herein.

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 4-5, 7, 9-11, 13-15, 19, 21, 26-27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iliff (U.S. Patent No. 5,935,060) in view of Walker et al. (U.S. Publication No. 2002/0170565).

21. As per claim 4, the method of claim 1 is as described. Iliff does not teach further comprising highlighting a portion of the template data.

Walker teaches further comprising highlighting a portion of the template data (**Walker: figure 4**). The examiner interprets the selection of bubbles to be the same as highlighting a portion of the template data.

One of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Iliff with Walker with the motivation that it allows physicians to use diagnostic specific templates, with pre-populated default values for diagnosis **(Walker: para. 0054)**.

22. As per claim 5, the method of claim 1 is as described. Iliff does not teach further comprising annotating a portion of the template data.

Walker teaches further comprising annotating a portion of the template data **(Walker: figure 4)**. The examiner interprets entering current medications, height, weight, etc. is the same as annotating a portion of the template data.

The motivation to combine the teachings is the same as claim 4.

23. As per claim 7, the method of claim 1 is as described. Iliff does not teach further comprising adding additional template elements to the interface page.

Walker teaches further comprising adding additional template elements to the interface page **(Walker: figure 2)**.

The motivation to combine the teachings is the same as claim 4.

24. As per claim 9, the method of claim 1 is as described. Iliff does not teach wherein the medical workflow step comprises a review of systems.

Walker teaches wherein the medical workflow step comprises a review of systems **(Walker: figure 3)**.

The motivation to combine the teachings is the same as claim 4.

25. As per claim 11, the method of claim 1 is as described. Iliff does not teach wherein the medical workflow step comprises a prescription writing step **(Walker: claim 11)**.

Walker teaches wherein the medical workflow step comprises a prescription writing step
(Walker: claim 11).

The motivation to combine the teachings is the same as claim 4.

26. As per claim 13, the device of claim 12 is as described. The citation and motivation of claim 13 is the same as claim 5.

27. As per claim 14, the device of claim 12 is as described. The citation and motivation of claim 14 is the same as claim 7.

28. As per claim 15, the device of claim 12 is as described. The citation and motivation of claim 15 is the same as claim 4.

29. As per claim 21, the device of claim 12 is as described. The citation and motivation of claim 21 is the same as claim 11.

30. As per claim 26, the system of claim 23 is as described. The citation and motivation of claim 26 is the same as claim 5.

31. As per claim 27, the system of claim 23 is as described. The citation and motivation of claim 27 is the same as claim 5.

32. As per claim 29, the system of claim 23 is as described. The citation and motivation of claim 29 is the same as claim 7.

Conclusion

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Dormond et al. (U.S. Patent No. 4,839,822) discloses a system, which provides one or more suggested treatments for a patient.

-Lapointe et al. (U.S. Patent No. 6,678,669) discloses a methods providing for developing medical diagnostic tests using decision-support system, such as neural networks.

-Campbell et al. (U.S. Patent No. 6,047,259) discloses a system for managing a health care practice including tools for conducting a physical exam, suggesting tentative diagnosis, and managing a treatment protocol.

-Bishop et al. (U.S. Patent No. 6,090,044) discloses a system for diagnosing medical conditions whereby a neural network, is trained by presentation of large amounts of clinical data and diagnostic outcomes.

-Joao (U.S. Publication No. 2001/0032099) discloses an apparatus for providing healthcare information, including a healthcare diagnosis, prescribing treatment, and monitoring a treatment.

-Chan et al. (U.S. Publication No. 2001/0039503) discloses a method and a system for managing a health program and providing assistance in regards to the management of chronic diseases.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheetal R. Rangrej whose telephone number is 571-270-1368.

The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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9/13/07

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